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GENERAL ASSEMBLY
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Agenda items 10, 38, 40 and 78
REPORT OF THE SECRETARY-GENERAL
ON THE WORK OF THE ORGANIZATION
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 19 October 1994 from the Permanent Observer
for Palestine to the United Nations addressed to the
Secretary-General

I have been instructed to bring the following to your attention.

On 17 October 1994, Jordan and Israel initialled a draft peace treaty between the two countries, which is expected to be formally signed within a week. We welcome this as a step towards the establishment of a comprehensive and lasting peace in the Middle East.

Statements that have been made in this regard by some officials, including the Foreign Minister of Israel, have indicated that the draft treaty includes language on a Jordanian role with regard to the holy sites of Jerusalem, similar to the language used in the Washington Declaration of 25 July 1994, to which we have objected (A/49/288-S/1994/903). This possible inclusion has serious implications, and any attempts to detach religious issues from the overall political situation of East Jerusalem could only serve the illegal status quo created by the Israeli Government. We reiterate the fact that Jerusalem remains an integral part of the Occupied Palestinian Territory since 1967, as confirmed by several Security Council resolutions, and that the international community has never accepted or approved any foreign sovereignty or jurisdiction over East Jerusalem.

Moreover, such an inclusion represents a clear violation of the contractual obligations of Israel emanating from the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560), signed in Washington, D.C., on 13 September 1993, by the Government of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation, the co-sponsors of the peace process. In addition, the Israeli Government gave assurances to the Palestinian side with regard to the religious sites and the preservation of economic and social institutions of East Jerusalem.

It should be recalled that the Government of the United States of America, in its capacity as a co-sponsor of the peace process, also gave assurances to the Palestinian side on Jerusalem. In this regard, the United States letter of assurances to the Palestinians, dated 24 October 1991, stated the following:

"The United States is opposed to the Israeli annexation of East Jerusalem and extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exasperate local tensions or make negotiations more difficult or pre-empt their final outcome."

We call for immediate redress of the situation and for compliance with the agreement reached between the Government of Israel and the Palestine Liberation Organization. We also call upon the co-sponsors of the peace process, at the highest level, to fulfil their duties in this regard and to ensure such compliance. Failure to do that would cause great harm to the credibility and validity of the agreements reached as well as the proceedings of the peace process. The issue of Jerusalem remains a central issue and should not be taken lightly.

I should be grateful if you would arrange to have the text of this letter distributed as an official document of the General Assembly, under agenda items 10, 38, 40 and 78, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations
